

**FILED**

**OCT 25 2005**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

In re CORNERSTONE PROPANE  
PARTNERS LP SECURITIES  
LITIGATION,

Master File No. C03-2522 MHP

**CLASS ACTION**

**STIPULATION AND ~~PROPOSED~~ ORDER  
TO EXTEND TIME FOR DEFENDANTS'  
OPPOSITION TO CLASS CERTIFICATION  
MOTION AND FOR MEDIATION**

This Document Relates To:

**ALL ACTIONS**

**STIPULATION**

Pursuant to Civil Local Rule 6-2, the parties submit the following Stipulation and [Proposed] Order to extend the time for defendants to file an opposition to Lead Plaintiffs' Motion for Class Certification and to extend the time for the parties to conduct mediation.

WHEREAS, on September 15, 2005, the parties jointly submitted a Supplemental Joint Case Management Statement and [Proposed] Order and requested that the Court adopt it as its Case Management Order in this case;

WHEREAS, on September 23, 2005, Lead Plaintiff filed a Motion for Class Certification;

WHEREAS, on September 26, 2005, the Court held a Status Conference;

WHEREAS, on September 27, 2005, the Court issued an Order that the parties were to seek private mediation, that a hearing on Lead Plaintiff's Motion for Class Certification be held on December 5, 2005, that any opposition be filed by defendants on or before October 25, 2005, and that any reply be filed by plaintiffs on or before November 18, 2005;

WHEREAS, on September 29, 2005, Defendants Baxter, Goedde, Kittrell, and Nye served a Notice of Deposition and Request to Produce Documents upon Lead Plaintiff;

WHEREAS, Lead Plaintiff produced documents responsive to the document requests on October 14, 2005;

WHEREAS, defendants deposed Lead Plaintiff Gilbert H. Lamphere and Alexander P. Lynch on October 17, 2005;

WHEREAS, the final transcripts of these depositions were not available until October 20, 2005;

WHEREAS, Lead Plaintiff agreed during his deposition to produce additional documents pursuant to his Notice of Deposition and Request to Produce Documents, but has not yet done so;

WHEREAS, defendants require additional time to review the additional documents to be produced by Lead Plaintiff and the final transcripts of Lead Plaintiff's deposition;

WHEREAS, this stipulation will not change the date of the hearing;

WHEREAS, the parties have agreed to and scheduled mediation on January 6, 2005 with Judge Daniel Weinstein of JAMS;

1 IT IS HEREBY STIPULATED, by and between the undersigned and so ordered by the  
2 Court as follows:

3 1. Defendants shall file and serve via hand or overnight delivery on or before October  
4 28, 2005 any opposition to Lead Plaintiff's Motion for Class Certification;

5 2. Plaintiffs shall file and serve via hand or overnight delivery on or before  
6 November 21, 2005 any reply in support of Lead Plaintiff's Motion for Class Certification;

7 3. The parties shall conduct a mediation on January 6, 2006; and

8 4. Any further changes to the date for mediation do not need to be approved by the  
9 Court.

10 Dated: October 26, 2005

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16 /s/

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20 Lead and Liaison Counsel for Lead Plaintiff and  
21 the Class

1 Dated: October \_\_, 2005

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4 /s/

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12 Dated: October \_\_, 2005

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14 /s/

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1 Dated: October \_\_\_\_, 2005

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14 **ORDER**

15 PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

16  
17 Dated: October 25, 2005

18 THE HONORABLE HALL PATEL  
19 UNITED STATES DISTRICT COURT JUDGE  
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